

REMARKS

Applicants thank the Examiner for the thorough consideration given the present application. Claims 1-6, 8-14 and 16-23 are currently being prosecuted. The Examiner is respectfully requested to reconsider his rejections in view of the amendments and remarks as set forth below.

Allowable Subject Matter

It is gratefully acknowledged that the Examiner considers the subject matter of claims 7 and 15 as being allowable if rewritten in independent form. Although not conceding the appropriateness of the Examiner's rejections, claims 1 and 10 have been rewritten to include the limitations of claims 7 and 15, respectively. Accordingly, claims 1-6 and 8-14 are now in condition for allowance.

Acknowledgement of Information Disclosure Statement

The Examiner has acknowledged the Information Disclosure Statement filed on May 8, 2004. The Examiner has also returned a copy of the PTO 1449. However, it is noted that that the Examiner has not included his initials next to the one foreign patent document that was cited, namely, TW 578345. It is assumed that this is merely an oversight of the Examiner since there is

no comment as to why this was not initialed. Accordingly, Applicants request the Examiner to provide a new copy with initials next to the single cited document.

Rejection Under 35 USC 102

Claims 1-4 and 8-12 stand rejected under 35 USC 102 as being anticipated by Shieh et al. (U.S. Published Application 2004/0108845). This rejection is respectfully traversed.

The Examiner has not applied this rejection to claims 7 and 15 and has indicated that these claims would be allowable if rewritten in independent form. Since claims 1 and 10 now include these limitations, Applicants submit that this rejection is overcome.

Rejection Under 35 USC 103

Claims 5 and 13 stand rejected under 35 USC 103 as being obvious over Shieh et al. in view of Lee (U.S. Patent 5,050,214). Claims 6 and 14 stand rejected under 35 USC 103 as being obvious over Shieh et al. in view of Chen et al. (U.S. Patent 6,763,087). These rejections are respectfully traversed.

Since these claims now depend from allowable independent claims, these rejections are also considered to be overcome.

Applicants have also added new claims 16-23. Independent claim 16 is a combination of the limitations of original claim 1 and original claim 5. Independent claim 20 is a combination of original claim 1 and original claim 6. Accordingly, these claims will be considered further in regard to the rejections originally applied against claims 5 and 6. In regard to claim 16, the Examiner has already stated that the Shieh et al. reference does not teach the plurality of adjusting resistors. The Examiner relies on Lee to show an audio connector jack that has an adjustable resistor through which the normally closed terminals are coupled to the first node. The Examiner feels it would have been obvious to incorporate an adjustable resistor as taught by Lee in order to control the volume in the Shieh et al. device.

The Lee reference shows a remote control transmitting circuit 100 with a first variable resistor VR1 and a second variable resistor VR2 serving the volume adjusting function for the left/right channel of the head phones. Accordingly, Applicants submit that this teaching is different from that of the present claimed invention. The adjusting resistor of the present invention is connected between the first normally closed terminal and the first node. This allows the resistances of the bias resistors and the adjusting resistor to be adjusted with more flexibility. Neither the Lee Patent nor the Shieh et al. patent contains any suggestion to combine the volume adjusting variable resistor and a remote control transmitting circuit in Lee with a plug/unplug status detector. Accordingly, Applicants submit that the present claimed invention would not be obvious over these two references. Accordingly, Applicants submit that claim 16 as well as dependent claims 17-19 are allowable.

In regard to claim 20, the Examiner admits that Shieh et al. lacks the filter capacitor coupled to the first node and the filter resistor. The Examiner relies on Chen et al. to show the testing of the status of a communication signal having a jack coupled to a filter that allows a certain bandpass through. The Examiner states that this type of filter is known to use a resistor and a capacitor. The Examiner feels that it would have been obvious for Shieh et al. to incorporate a filter coupled to each jack as taught by Chen et al. in order to remove noise.

Applicants submit that the Chen patent shows a detector for detecting the presence of a VDSL signal. This structure includes two bandpass filters 63 and 64 for simulating a telecommunication device and a user device. However, the two filters in Chen are to bandpass the voice signal from the jack. However, the filter capacitor in the present invention is like a low pass filter to filter noise of the signal from the normally closed terminal when the external terminal is plugged in. Hence, the function of the filter capacitor is different from the function of the bandpass filters. Applicants submit that there is no motivation in the Chen patent or in the Shieh reference to combine the bandpass filter and the VDSL communications application with a plug/unplug status detector of a phone jack application. In fact, the Chen patent is somewhat outside the scope of the analogous art of the Shieh patent. Accordingly, Applicants submit that claim 20 is not obvious over this combination of references and that this rejection should be removed. Further, Applicants submit that claims 21-23 which dependent therefrom are also allowable.

Application No. 10/776,536
Amendment dated August 25, 2005
Reply to Office Action of May 25, 2005

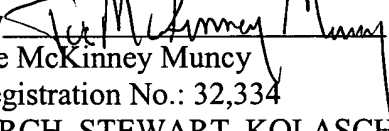
Docket No.: 3722-0178P

Conclusion

In view of the above remarks, it is believed that the claims clearly distinguish over the patents relied on by the Examiner, either alone or in combination. In view of this, reconsideration of the rejections and allowance of all of the claims are respectfully requested.

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Respectfully submitted,

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